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8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN FRANCISCO DIVISION	
11	UNITED STATES OF AMERICA,) Case No.: 3:21-CR-00490 WHO
12	Plaintiff,)) DEFENDANT'S MOTION TO
13	v.) REMOVE INCORRECTLY FILED) DOCUMENT AND [PROPOSED]) ORDER
14	MOHAMMED NURU,))
15	Defendant.)))
16) Hon. William H. Orrick
17))
18)
19		
20		
21		
22		
23	Defendant Mohammed Nuru brings this Motion to Remove an Incorrectly Filed	
24	Document. The defense respectfully requests that the Court remove Docket No. 112-4 from	
25	the Docket in this matter. A corrected version of that docket entry has been filed at Docket	
26	No. 116-1.	
27		
28	Motion to Remove Incorrectly Filed Document and [proposed] Order United States v. Nuru Case No. 3:21-CR-00490-001 WHO	

1 The defense makes this request because Docket No. 112-4 contains a letter in support 2 of Defendant Mohammed Nuru that was mistakenly filed. That letter is at Dkt. No. 112-4, 3 MNURU_0058, and is part of Exhibit D to Mohammed Nuru's Sentencing Memorandum and 4 Motion for Downward Variance. If the letter is not removed from the docket, it will have 5 negative employment consequences for the author of that letter, Mrs. DiJaida Durden. 6 Mrs. Durden is employed as a Deputy Director of the Department of Public Works. 7 Mrs. Durden submitted that letter in her personal capacity—not her professional capacity as a Public Works employee. That letter was mistakenly submitted on the Department of Public 8 9 Works letterhead. But she did not intend this to reflect the opinion of the Department of 10 Public Works, it reflects only her personal opinion. It should not have been submitted on Department of Public Works letterhead. This was an error. 11 12 Mrs. Durden has corrected this mistake. Defense counsel filed a Notice of Errata at 13 Docket No. 116, with the corrected Exhibit D, with a letter from Mrs. Durden in her personal capacity at MNURU_0058. 14 The defense respectfully requests that Docket No. 112-4 be removed from the docket 15 to avoid any negative employment consequences for Mrs. Durden that will result from this 16 erronesouly filed document. 17 DATED: August 25, 2022 18 19 Respectfully submitted, 20 /s/ Katharine A. Kates 21 KATHARINE A. KATES MILES EHRLICH 22 23 Attorneys for Defendant Mohammed Nuru 24 25 26 27

Motion to Remove Incorrectly Filed Document and [Proposed] Order $United\ States\ v.\ Nuru$ Case No. 3:21-CR-00490-001 WHO

28

[PROPOSED] ORDER

Good cause having been shown, Docket No. 112-4 shall be removed from the docket in this matter.

IT IS SO ORDERED

DATED: August 25, 2022



MOTION TO REMOVE INCORRECTLY FILED DOCUMENT AND [PROPOSED] ORDER United States v. Nuru
Case No. 3:21-CR-00490-001 WHO